



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:
JAY E. GEROW

Serial No. : 10/627,579 Group Art Unit: 3712
Filed : July 24, 2003 Examiner: Benjamin Layno
For : METHOD, APPARATUS AND GAMING SET
FOR USE IN A PROGRESSIVE GAME

Commissioner for Patents
P.O. Box 1540
Alexandria, Virginia 22313-1450

Sir:

TERMINAL DISCLAIMER

Jay E. Gerow of Bothell, Washington, and ZDI Gaming, Inc. of Lynnwood, Washington, are the owners of the entire right, title and interest in and to U.S. Patent Application Serial No. 10/627,579, filed on July 24, 2003, for a METHOD, APPARATUS AND GAMING SET FOR USE IN A PROGRESSIVE GAME.

Jay E. Gerow and ZDI Gaming, Inc. hereby disclaim the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent No. 6,599,187, which was issued on July 29, 2003, and hereby agrees that any patent so granted on the above-identified U.S. Patent Application Serial No. 10/627,579, shall be enforceable only for and during such period that legal title to the patent so granted shall be the same as the legal title to U.S. Patent No. 6,599,187, this agreement to run with any patent granted on the above-identified U.S. Patent Application Serial No. 10/627,579, and to be binding upon the grantee, its successors or assigns.

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In making the above disclaimer, Jay E. Gerow and ZDI Gaming, Inc. do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 6,599,187, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned hereby states that he is the attorney of record for Applicant and Assignee and has the authority to sign this disclaimer.

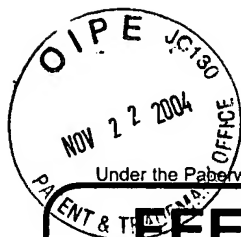
Signed at Portland, State of Oregon, this 19th day of November, 2004.

Respectfully submitted,

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 55.00)

Complete if Known

Application Number	10/627,579
Filing Date	July 24, 2003
First Named Inventor	Jay E. Gerow
Examiner Name	Benjamin Layno
Art Unit	3712
Attorney Docket No.	ZDI 301E

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number
Deposit Account Name

11-1540

Kolisch Hartwell, P.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 0.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
Independent Claims	Multiple Dependent	-20** =	-3** =	9.00	44.00	
40	04	0	0	9.00	44.00	0.00
						150.00 = 0.00

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ 0.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) TERMINAL DISCLAIMER					55.00
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$ 55.00)

SUBMITTED BY

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Signature

Date November 19, 2004

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